

E FILED ON 05/24/2016  
THOMAS E. CROWE, ESQ.  
THOMAS E. CROWE PROFESSIONAL  
LAW CORPORATION  
2830 S. Jones Blvd., Suite 3  
Las Vegas, NV 89146  
(702) 794-0373  
Attorney for Debtor  
Nevada State Bar no. 3048

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

In re:	)	BANKRUPTCY NUMBER:
	)	BK-S-16-10769-BTB
LEONARD A. MANCUSO, II.	)	Chapter 13
	)	
Debtor.	)	DATE: June 7, 2016
	)	TIME: 10:00 a.m.

**OPPOSITION TO MOTION FOR RELIEF FROM STAY**

Comes now, Debtor above-named, by and through his attorney THOMAS E. CROWE, ESQ., and oppose the motion FOR RELIEF FROM STAY filed by Space Coast Credit Union, based upon the points and authorities attached hereto.

DATED this 24<sup>th</sup> day of May, 2016.

THOMAS E. CROWE PROFESSIONAL  
LAW CORPORATION

By /s/ THOMAS E. CROWE  
THOMAS E. CROWE, ESQ.  
2830 S. Jones Blvd., Suite 3  
Las Vegas, Nevada 8946  
Attorney for Debtor

///

///

///

**POINTS AND AUTHORITIES**

The aforementioned Debtor filed for relief under Chapter 13 of Title 11 of the Bankruptcy Code on or about February 22, 2016. The Debtor herein opposes the Motion For Relief From Automatic Stay filed herein by Space Coast Credit Union, by and through its attorney, Gary L. Compton, Esq., based upon the following points.

Debtor agrees that the automobile has no equity. The second prong of Code §362(2) is, however, not met since Debtor has a reasonable prospect of confirming the Plan. Debtor is an above-median Debtor and secured debts may be paid in preference to unsecured creditors under Code §§1325(b)(3) and 707(b)(2). Moreover, no “cause” has been shown under Code §362(d)(1) since the insured amount is equal to Debtor’s valuation of the vehicle (which is in part based upon a multitude of required repairs). See appraisal as **Exhibit 1**.

DATED this 24<sup>th</sup> day of May, 2016.

Respectfully Submitted:

THOMAS E. CROWE PROFESSIONAL  
LAW CORPORATION

By /s/ THOMAS E. CROWE  
THOMAS E. CROWE, ESQ.  
2830 S. Jones Blvd., Suite 3  
Las Vegas, Nevada 89146  
Attorney for Debtor

# Exhibit 1

# CarMax APPRAISAL OFFER

**Name:** LEO MANCUSO  
**Address:** 7850 SUMMER SOLSTICE ST  
 LAS VEGAS NV 89131  
**Vehicle:** 2005 MAYBACH SERIES 57 N/A  
**Mileage:** 59,369 **Engine:** N/A  
**VIN:** WDBVF78JX5A001456  
**Color:** BLACK

**Contact:**  
 BILL TOOMBS

7244 - WEST SAHARA, NV

**Date:**  
 10/26/2015

## FEATURES CONSIDERED

POWER LOCKS  
 SUNROOF(S)  
 CD AUDIO  
 ALPINE SOUND SYSTEM  
 REAR DEFROSTER  
 FULL LEATHER INTERIOR  
 MEMORY SEAT(S)  
 REAR SEAT HEATERS  
 NAVIGATION SYSTEM  
 ALLOY WHEELS  
 AUTOMATIC TRANSMISSION  
 TRACTION CONTROL, A/C SEAT(S), SIDE AIRBAGS,  
 OVERHEAD AIRBAGS, POWER HATCH/DECK LID, REAR  
 SUNSHADE, REAR A/C SEAT(S), SMART KEY

POWER WINDOWS  
 AM/FM STEREO  
 BOSE SOUND SYSTEM  
 AIR CONDITIONING  
 ABS BRAKES  
 POWER SEAT(S)  
 FRONT SEAT HEATERS  
 POWER MIRRORS  
 DVD VIDEO SYSTEM  
 20 INCH PLUS WHEELS

**Engine:** Runs Improperly  
**Dash:** Warning Lights  
**Rear Seats:** Good Condition  
**Transmission:** Good Condition  
**Rear Tires:** Good Condition

**Roof:** Needs Paintwork  
**Front Seats:** Good Condition  
**Carpet:** Good Condition  
**Front Tires:** Good Condition  
**Wheels:** Good Condition

## CONDITIONS ASSESSED 284102

# APPRAISAL OFFER \$26,000

This offer is valid until the close of business on 11/02/15.

If you purchase a CarMax vehicle while selling us your vehicle,  
 you could be eligible for tax savings up to \$2,106.00

**This offer is good for 7 days** and will be honored at all CarMax stores.

After 7 days, your vehicle will need to be reappraised and the **offer may change**.

## Comments

PLEASE ASK FOR A CERTIFIED APPRAISER IF THERE ARE ANY QUESTIONS.  
 THANKS FOR HAVING YOUR VEHICLE APPRAISED

## Your Appraiser

DANIEL M.  
 - CarMax Certified Appraiser

We've appraised more than 19 million vehicles. Your appraiser can provide a detailed explanation of how we determined your offer – just ask!

# SELL US YOUR CAR

## AND WALK AWAY WITH PAYMENT IN HAND

When you sell to CarMax, you can avoid the hassles of selling your car yourself: • depreciation • additional car payments • costly advertising • the uncertainties of an unknown buyer (inspections, negotiations, and payment).

**We don't play games; we'll buy your car even if you don't buy ours!®**

## TO SELL US YOUR VEHICLE

Title (if it is not with a lienholder)  
 Valid registration  
 Valid state-issued photo ID for all titleholders  
 All keys and remotes (if applicable)

**CERTIFICATE OF MAILING OF RE: OPPOSITION TO MOTION FOR  
RELIEF FROM STAY**

I, DONOVAN BOSQUE, hereby certify that a copy of the OPPOSITION TO MOTION FOR RELIEF FROM STAY filed herein, in the above-entitled case, was mailed by me on the 24<sup>th</sup> day of May, 2016 by depositing copies thereof in a sealed envelope, first-class postage prepaid, in the United States Mail, to the parties and addresses as follows:

Gary L. Compton, Esq.  
2950 E. Flamingo Road., Suite L.  
Las Vegas, NV 89121

Rick A. Yarnall  
Chapter 13 Trustee  
701 Bridger Ave., #820  
Las Vegas, NV 89101

DATED this 24<sup>th</sup> day of May, 2016.

/s/ DONOVAN BOSQUE  
DONOVAN BOSQUE, an employee of  
THOMAS E. CROWE PROFESSIONAL